

STATE OF HAWAII
REQUEST FOR EXEMPTION FROM CHAPTER 103F, HRS

05 SEP 28 P1:12
 ADMINISTRATION
 STATE PROCUREMENT OFFICE
 STATE OF HAWAII

To: Chief Procurement Officer

From: Department of Health, Developmental Disabilities Division, Case Management and Information Services Branch
Department/Division/Agency

Pursuant to § 103F-101(a)(4), HRS, and Chapter 3-141, HAR, the Department requests a procurement exemption to purchase the following:

Title and description of health and human service(s):

Comprehensive system of supports and services for persons with developmental disabilities (dd) or mental retardation (mr) within the limits of state or federal resources allocated or available.

Person-Centered Adult Supports (PCAS) and Partnerships in Community Living (PICL) for individuals with dd/mr.

Provider Name: (1) The Arc of Hilo (2) Association for Retarded Citizens of Kauai (3) Easter Seals Hawaii (4) Goodwill Industries of Hawaii, Inc. (5) Hawaii Centers for Independent Living (6) Kona Association for Retarded Citizens dba Kona Krafts (7) Lanakila Rehabilitation Center, Inc. (8) Winners at Work, Inc.	Total Contract Funds: \$1,249,171.00	Term of Contract: <div style="display: flex; justify-content: space-between;"> From: To: </div>
Provider Address: (1) 1099 Waianuenue Avenue, Hilo, 96749 (2) 3201 Akahi Street, Lihue, 96766 (3) 710 Green Street, Honolulu, 96813 (4) 2610 Kili Hau Street, Honolulu, 96819 (5) 414 Kuwili Street, #102, Honolulu, 96817 (6) P.O. Box 127, Kealahou, 96750 (7) 1809 Bachelot Street, Honolulu, 96817 (8) 414 Kuwili Street, #103, Honolulu, 96817	Contract Funds per Year (as applicable).	Date of approval 6/30/2006

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Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:

RFP HTH 501-1, Community Living Resources, was issued and awarded in March 2005. Contracts for RFP HTH 501-1 were not executed by the planned date of July 1, 2005 due to legal issues related to DDD's Makin settlement which required that individuals receiving home and community-based services (HCBS) receive 100% state-funded services only if that state-funded service is, for any reason, not available under the HCBS waiver program. The settlement was signed on August 15, 2005, after RFPs were awarded.

DDD extended its current contracts pursuant to 3-149-301 until contracts could be executed. After legal consultation related to the Makin settlement, it was determined that the planned target population as well as the intended services, needed to be changed in order to be compliant with the Makin settlement. In addition, there was new interpretation of DDD's statutes. For these reasons, it was determined that a new RFP was necessary. RFP HTH 501-1 was cancelled August 31, 2005.

Service activity changes in the RFP requires planning and 6 months is needed to get community input, implement policies to be compliant with the Makin settlement and DDD's statutes, and re-evaluate unit rates. The current contract unit rates are based on a slot for an individual for one year. Current providers of PCAS have staffed the PCAS contract on an annual basis. If the PCAS service does not coincide with the fiscal year, it will be costly to the provider.

Because of the requirement to change the target population for PICL contracts, budget and appropriation planning is necessary by the DDD. In addition, there will be major service activity changes for this service that will require stakeholder input.

Due to the above-stated reasons, DDD needs a 6 month period for planning. A RFP for 5 years is planned. The extension of contracts with current providers until June 30, 2006 will allow for effective planning, assure statutory compliance and assure greater continuity of services to clients.

Details of the process or procedure to be followed in selecting the service provider to ensure maximum fair and open competition as practicable:

The listed providers are the current providers contracted under the previous competitive procurement.

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A description of the state agency's internal controls and approval requirements for the exempted procurement:
CMISB Branch Chief oversees Section Supervisors
Section Supervisor has programmatic responsibility for all POS contracts
Fiscal Supervisor has fiscal responsibility for all POS contracts
Public Health Administrative Officer (PHAO) oversees contracts for Branch
Administrative Service Office (ASO) approves all requirements

A list of state agency personnel, by position title, who will be involved in the approval process and administration of the contract:

Michael Tamanaha, Branch Chief, CMISB
Margery Sheehan, Supervisor, Contracts and Resource Development Section(CRDS)
Roy Kawano, Supervisor, Fiscal Services
Russell Kamemoto, Social Worker IV, CRDS
Glenn Yokomura, Accountant III, Fiscal Services

Direct questions to (name & position): Margery Sheehan, Supervisor, CRDS	Phone number: 733-9177	e-mail address: mysheeha@mail.health.state.hi.us
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This exemption should be considered for list of exemptions attached to Chapter 3-141, HAR: Yes ☐ No ☐

I certify that the information provided above is to the best of my knowledge, true and correct.



Department Head Signature

SEP 27 2005

Date

Chiyome Leinaala Fukino, M.D.

Typed Name

Director of Health

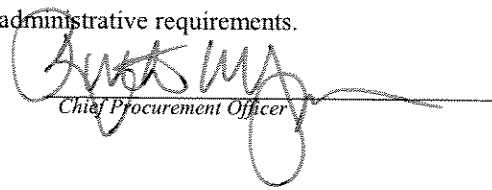
Position Title

Chief Procurement Officer's Comments:

Please ensure adherence to applicable administrative requirements.

☒ Approved

☐ Denied



Chief Procurement Officer

10/7/05

Date

cc: Administrator
State Procurement Office

LINDA LINGLE
GOVERNOR OF HAWAII



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CHIYOME L. FUKINO, M.D.
DIRECTOR OF HEALTH

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STATE OF HAWAII
DEPARTMENT OF HEALTH
DEVELOPMENTAL DISABILITIES DIVISION
CASE MANAGEMENT AND INFORMATION SERVICES BRANCH

3627 KILAUEA AVENUE, ROOM 104
HONOLULU, HAWAII 96816

In reply, please refer to:
File:

September 29, 2005

TO: Ruth Yamaguchi, Administrator
State Procurement Office

FROM: Margery Sheehan, Supervisor *MS*
Contracts and Resource Development Section
Case Management and Information Services Branch
Developmental Disabilities Division

SUBJECT: REQUEST FOR EXEMPTION PEH 06-11

The purpose of this memo is to clarify the request for exemption submitted by the Developmental Disabilities Division (DDD).

For Person Centered Adult Supports, continuity of services will be jeopardized for individuals with dd/mr without an extension. If services do not continue, DDD will be responsible for finding alternative services that will require additional DDD resources at a higher cost. A change in service providers without a period of transition may adversely affect individuals with dd/mr.

If there any questions, please feel free to call me at 733-9177.

MS:es